



## **SIDEWALK AND PARKLET CONDITIONS**

Permit Center  
2263 Santa Clara Ave. Room 190, Alameda, CA 94501  
Hours: 7:30 a.m.–3:30 p.m., M–Th  
[www.alamedaca.gov/permits](http://www.alamedaca.gov/permits)  
[Permits@alamedaca.gov](mailto:Permits@alamedaca.gov)

June 2020

**Beginning in March of 2020 the Alameda County Health Department ordered County residents to shelter in place and implement social distancing to reduce the rate of transmission of the Novel Coronavirus Disease (COVID-19). In an effort to promote the reopening and survival of many local businesses during these extraordinary times, The City of Alameda has modified the requirements and streamlined the review and approval process for sidewalk usage and parklets. These changes will be reviewed and potentially further modified, potentially rescinded, or revoked in response to changing social distancing requirements.**

1. This permit shall expire on November 3, 2020. The Public Works Director (or designee), at his/her sole discretion, may extend, amend, or revoke the permit at any time.
2. Sidewalk Dining:
  - a. Definition: Sidewalk Dining is any group of tables, chairs, and/or benches, and accessory devices, situated and maintained upon the public sidewalk for use in connection with the consumption of food and beverages sold to the public from or in adjoining indoor food serving establishment.
  - b. Sidewalk dining is allowed within the entire business district under the district-wide permit for sidewalk dining, as space allows. Encroachment beyond the frontage of the associated business is subject approval by the district-wide permit holder.
  - c. Sidewalk Clearances: Sidewalk Dining may be permitted only where the sidewalk is wide enough to adequately accommodate both the usual pedestrian traffic in the area and the operation of the proposed seating. During this period of required social distancing, eight (8) consecutive feet of sidewalk width at every point shall be kept clear and unimpeded for pedestrian traffic on Park Street and Webster Street, six (6) consecutive feet of sidewalk width shall be kept clear for pedestrian traffic on all other commercial streets.
  - d. Tables, seating and accessory devices shall not block access to trash cans, parking meters, newspaper racks, or other items in the public right-of-way and shall not be situated within eight feet of any designated bus stop. Sidewalk dining is permitted, as space allows, against the building. In locations where there is neither parking nor loading/unloading at the curb, sidewalk dining may be situated either against the curb instead of against the building. Neither furniture nor accessory devices shall be placed in front of any door used for entrance or exiting of the building.
  - e. All outdoor dining furniture and accessory devices shall be movable. Allowable accessory devices include umbrellas, planters, sandwich board signs, lighting, and heating. Said furniture and devices shall be arranged to adequately accommodate persons with disabilities including the visually impaired. Umbrellas must be secured with a minimum base of not less than 60 pounds. Outdoor music or speakers are prohibited. Outdoor

heaters are allowed with the appropriate fire, building, and safety requirements. Fencing, vertical shades, and windbreaks are not allowed.

- f. The outdoor preparation of food is prohibited at sidewalk cafés. The presetting of tables with utensils, glasses, napkins, condiments, and the like is prohibited. All exterior surfaces within the café shall be easily cleanable and shall be kept clean at all times by the permittee. If adjoining food server is a restaurant, restrooms for the café customers shall be provided in the adjoining indoor restaurant.
- g. Covered trash and refuse storage for the sidewalk café must be provided and the permittee shall remove all trash and litter as they accumulate. The permittee is responsible for maintaining the outdoor dining area, including the sidewalk surface and furniture and adjacent areas, in a clean and safe condition.
- h. Sidewalk dining shall not open before 7:00 a.m. nor remain open past 10:00 p.m., Sunday through Thursday nights, and 12 midnight, Friday and Saturday nights. The hours of operation of the sidewalk café, including cleaning, shall not extend beyond the approved hours of the adjoining indoor food serving establishment. Furniture and accessory devices used in the operation of the outdoor café shall be removed from the sidewalk and stored indoors whenever the sidewalk café is not in operation.
- i. If the sidewalk café operates during the darkness hours, adequate lighting shall be provided so that the furniture does not become an obstacle to pedestrians.
- j. The City shall have the right and power, acting through the Public Works Director or his/her designee, to prohibit the operation of a sidewalk café at any time because of anticipated or actual problems or conflicts may arise from, but are not limited to, scheduled festivals and similar events, or parades or marches, or repairs to the street or sidewalk, or from demonstrations or emergencies occurring in the area. To the extent possible, the permittee shall be given prior written notice of any time period during which the City will prohibit the operation of the sidewalk café, but any failure to give prior written notice shall not affect the right and power of the City to prohibit the café's operation at any particular time.

### 3. Sidewalk Retail:

- a. Definition: Sidewalk Retail includes the use of the sidewalk for the presentation and sale of merchandise. All sidewalk retail must be associated with an immediately adjacent or nearby retail storefront. Use of space in front of adjoining storefronts is subject to approval by the adjoining business owner and the district-wide permit holder.
- b. Encroachments into the Sidewalk, on the frontage of businesses, are allowed within the entire business district under the district-wide permit for sidewalk retail, as space allows. Encroachment by any business beyond the frontage of that business is subject approval by the district-wide permit holder.
- c. All curbside retail must be removed from the sidewalk and stored indoors whenever the associated storefront retail is not in operation.
- d. Eight (8) consecutive feet of sidewalk width at every point shall be kept clear and unimpeded for pedestrian traffic on Park and Webster Street, six (6) consecutive feet of sidewalk width shall be kept clear for pedestrian traffic on all other commercial streets. Merchandise or use of the sidewalk shall not encroach on the minimum clear sidewalk space.
- e. Persons distributing merchandise of any kind, including food and beverage, shall provide adequate disposal containers, and frequent enough removal of their contents, to enable patrons to deposit all waste material generated by their products.

4. Parklets for Dining and Retail:

- a. Parklets are defined as temporary use of the street for dining and retail purposes during business hours, and for public park usage after hours. Parklets are constructed, maintained, and used, by a sponsoring business.
- b. Encroachment into the Street may be approved under individual permit to a sponsor, in a protected parklet, for dining and/or retail, subject to approval of the City and the district-wide permit holder. Use of the street frontage of adjacent businesses is subject to approval by the affected business owners and the district-wide permit holder.
- c. Parklets shall be open to the public during non-business hours and shall include signs stating that: All Seating is Open to the Public during non-business hours.
- d. Parklets shall not be used by the sponsoring business before 7:00 a.m. nor past 10:00 p.m., Sunday through Thursday nights, and 12 midnight, Friday and Saturday nights. The hours of operation and exclusive use of the parklet, including cleaning, shall not extend beyond the approved hours of the sponsoring establishment. Furniture used in the operation of the parklet shall be permanently affixed to the parklet or otherwise removed from the parklet and stored indoors whenever the sponsoring business is not in operation.
- e. All elements of the above mentioned parklets shall be constructed and/or installed to conform to the applicable provisions, rules, regulations and guidelines of City of Alameda Municipal Code, the Americans with Disabilities Act (ADA) and the Americans with Disabilities Act Accessibility Guidelines (ADAAG), and the City of Alameda Standard Plans & Specifications. This may include ramps or raised platforms.
- f. Restrooms for dining parklets shall be provided in the sponsoring indoor restaurant.
- g. Covered trash and refuse storage for parklet must be provided and the sponsor shall remove all trash and litter as they accumulate. The sponsor is responsible for maintaining the outdoor dining area, including the sidewalk surface and furniture and adjacent areas, in a clean and safe condition.
- h. Sponsoring businesses shall keep the parklet free of debris and grime, keep all plants in good health, daily maintain the surface of the parklet, rinse out the area beneath the parklet at least once a week, and provide pest abatement beneath the parklet platform on an as-needed basis. parklet cleaning shall follow all stormwater best management practices for surface cleaning and power washing.
- i. Parklets shall not obstruct the gutter line in such a way that prevents the free flow of storm water

5. Parklet Removal:

- a. Parklet permits issued during the Health Department Order implementing social distancing are subject to review and permit re-approval following the termination of the order and lifting of social distancing requirements. The Public Works Director shall determine the timeline for the review and permit re-approval process for all parklets approved as part of these COVID-19 application streamlining modifications.
- b. Sponsoring permittee, at permittee's sole expense, shall be responsible for removal of the parklet and restoring the public right-of-way to its original condition upon the occurrence of one of the following:
  - i. The cessation of use
  - ii. Failure to comply with permit conditions or other legal requirements
  - iii. The parklet poses a dangerous condition or threat of danger to life or property

- c. The City may remove the parklet for any of the following reasons, at the sponsoring permittee's expense:
  - i. Failure to maintain
  - ii. Violation of the Parklet Guidelines
  - iii. Violation of the permit conditions
  - iv. Modification unapproved by the City